

### **REMARKS**

The foregoing amendment amends claims 1, 4 and 7 and cancels claims 2, 5, 8, 10, 12 and 14. Pending in the application are claims 1, 4, 7 and 9, of which claims 1, 4 and 7 are independent. The following comments address all stated grounds of rejection and place the presently pending claims, as identified above, in condition for allowance. The Applicants respectfully urge the Examiner to pass the claims to allowance in view of the remarks set forth below.

Independent claim 1 is amended to include the patentable subject matter of canceled claim 2.

Independent claim 4 is amended to include the patentable subject matter of canceled claim 5.

Independent claim 7 is amended to include the patentable subject matter of canceled claim 8. *No new matter is added.*

Amendment and/or cancellation of the claims are not to be construed as an acquiescence to any of the objections/rejections set forth in the instant Office Action, and were done solely to expedite prosecution of the application. Applicants reserve the right to pursue the claims as originally filed, or similar claims, in this or one or more subsequent patent applications.

#### **Claim Objections**

Regarding to objection to claims 2 and 8, Applicants have canceled claims 2 and 8, obviating the informalities cited by the Examiner and respectfully request that the objections be withdrawn.

#### **35 U.S.C. 102 Rejections**

Applicants thank the Examiner for the review of the claims and for indicating that claims 2, 5, 8 and 9 recite patentable subject matter. Regarding the rejection of claim 14 under 35 U.S.C. 102 as being unpatentable over the JP 11-40180 reference, Applicants maintain that claim 14 distinguishes patentably over the cited JP 11-40180 reference, because the JP 11-40180 reference fails to teach or suggest varying an amount of condensed

water obtained by a separator by setting an outlet temperature of discharge gas from a separator, wherein the discharge gas outlet temperature is controlled by controlling a rotational speed of a pump, thereby varying a flow rate of cooling medium to the separator. However, in order to expedite allowance of the present application, Applicants have canceled claim 14 and reserve the right to pursue the subject matter of claim 14 in a subsequent application.

35 U.S.C. 103 Rejections

Regarding the rejection of claims 1, 4, 7, 10 and 12 under 35 U.S.C. 103(a) as being unpatentable over the JP 11-40180 reference in view of Meltser reference, Applicants submit that, even in combination, the JP '180 reference and the Meltser reference fail to anticipate claims 1, 4, 7, 10 and 12. However, in order to expedite allowance of the present application, Applicants have amended claims 1, 4 and 7 to include the allowable subject matter cited by the Examiner and canceled claims 10 and 12. As recognized by the Examiner, the cited references do not teach or suggest a fuel cell system including a pump having an output that is controlled on the basis of information detected by a means for detecting a current or voltage, as recited in independent claims 1 and 7. The cited references also do not teach or suggest a fuel cell system having a cooling fan having an output that is controlled on the basis of information detected by a means for detecting current or voltage, as recited in independent claim 4. Therefore, all independent claims, distinguish patentably over the cited references.

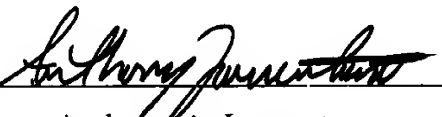
**Conclusion**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Should the Examiner feel that a telephone conference with Applicants' attorney would expedite prosecution of this application, the Examiner is urged to contact the Applicants' attorney at (617) 227-7400.

Date: March 22, 2004

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP  
Attorneys at Law

By   
Anthony A. Laurentano  
Reg. No. 38,220  
28 State Street  
Boston, MA 02109  
(617) 227-7400  
(617) 742-4214